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Hon. Sidney H. Stein
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Dear Judge Stein:

I am writing to you on behalf of my good friend, Senator Robert Menendez and his family, who I have known for over thirty-six years.

By way of introduction, I am a practicing attorney at age 91, providing Washington D.C.-based legal representation to NJ local governments, school boards, federally qualified health centers, and corporate clients on matters involving federal programs. My current NJ clients include the City of Newark, the City of Bayonne, the Town of Weehawken, Port Newark Container Terminal and Metropolitan Family Health Network. I also represent the Family Health Centers at NYU Langone.

I first met Bob Menendez in the 1980s when he was serving as the Mayor of Union City as well as the first Hispanic-American to be elected to the New Jersey General Assembly and the New Jersey Senate. At that time, the Union City public schools were seriously under-performing and the State of New Jersey was threatening to take over the administration of public education in Union City. Fortunately, the electronic information age was dawning with the launch of the *Information Highway* national electronic online communications system. Bob recognized the transformational potential of an electronically connected public education model, and he worked diligently to assemble a public-private partnership to carry out a pilot project for the Union City public schools.

Working closely with Bob, the Union City public school system and senior officials of NASA Earth Science Education Program Office, the team put together a middle school pilot project (the Christopher Columbus School) that dramatically improved educational outcomes. The program development of an enriched learning environment that combined stimulating online classroom work, weekly outdoor field science research projects carried out with online participation of NASA scientists, regular ongoing online engagement between NASA scientists and the teachers and students, and annual summer science camps at NASA for the Columbus School students and their teachers, where they worked with their NASA mentors on research projects that were carried into space on NASA rockets. Thanks to Bob's vision and a lot of hard work on his part,

the Christopher Columbus School pilot project inspired a district-wide educational initiative that captured national attention. In February of 1996, President Clinton, Vice President Gore and Education Secretary Riley traveled together to Union City to praise the transformation of public education achieved under Bob's leadership. In 1995, Bill Gates had proclaimed in a major education policy lecture at Georgetown University about his book *The Road Ahead* that "I have seen the future of education, and it is in Union City, New Jersey".

In Bayonne, the DoD's decision to close down the Military Ocean Terminal-Bayonne (MOTBY) (one of the largest employers in Hudson County) seriously threatened the overall economic vitality of the community and its residents. Bob worked tirelessly over the highly-complicated, multi-year military base conversion process to protect the interests of the citizens of Bayonne. The Army's plan was to simply abandon asbestos-contaminated buildings and failing water and wastewater infrastructure at MOTBY, and leave the City of Bayonne on the hook for projected multi-million costs for environmental remediation that would be required to redevelop the MOTBY Peninsula. Bob succeeded in securing federal funding to support environmental remediation by the Army Corps of Engineers at the MOTBY site. When the Department of the Army originally claimed a \$250-million *as is* valuation for a proposed sale of MOTBY property to the City of Bayonne, Bob worked to support a process for determining the full costs of required environmental remediation to be offset against the Army's requested sale price for the property, and he utilized his experience regarding MOTBY to sponsor legislation for a *No Cost Economic Development Conveyance* option for BRAC, for which the City of Bayonne was the nation's first designated BRAC recipient. Thanks to Bob's vision and legislative support, the City of Bayonne was able to accelerate the conversion of MOTBY into an engine of job-producing economic transformation that has benefitted the citizens of Bayonne and throughout Hudson County

Bob has also worked continuously throughout his Congressional career to secure critically needed federal funding resources for important community development and economic development projects in Bayonne, as well as funding for parks and recreational facilities that meet the special needs of low-income neighborhoods, elderly residents and handicapped children in the community -- including the restoration of Russell Golding Park and construction of the Buddy Baseball facility for special-needs and handicapped children.

In Hoboken, Bob has played a major role over the years in supporting vital transportation and economic development initiatives that have transformed the city's waterfront from the rotting docks portrayed in the film *On the Waterfront* to vibrant and stylish neighborhoods that rival Manhattan in terms of amenities and waterfront recreational facilities. His support and assistance have been vital over the years for transformational initiatives such as the Hudson River Waterfront Walkway, the 18.5-mile expansive pathway which connects Hudson County's most scenic waterfront neighborhoods with a pedestrian and bike-friendly walkway which includes Sinatra Park, the Pier A Park and the promenade at the South Waterfront. This nationally-significant outdoor recreation asset serves not only the residents of Hudson County and nearby communities, but also promotes regional tourism and economic development.

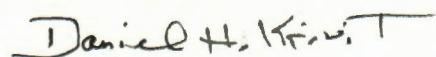
The Metropolitan Family Health Network (MFHN) is a Federally Qualified Community Health Center which has served low-income families in Jersey City NJ for over two decades and is nationally recognized for the excellence of its medical programs. Originally established as the Jersey City Family Health Center (JCFHC) in collaboration with the Jersey City Medical Center, the very existence of this vital community health asset was imperiled when the US Department of Health and Human Services threatened to terminate its federal funding on the grounds that officials of the Jersey City Medical Center were essentially in control of JCFHC's Board in contravention of DHHS regulations. Bob's personal advocacy efforts at the federal and state government levels enabled the community health center to reorganize as Metropolitan Family Health Network and retain its Federally Qualified Health Center status. Additionally, Bob worked tirelessly to secure additional State of NJ and federal funding to enable MFHN to purchase its facility at 935 Garfield Avenue in Jersey City, make needed capital improvements, acquire modern medical equipment and launch a new dental health program at MFHN. Thanks to Bob's efforts, thousands of low-income, medically underserved residents of Jersey City now have access to first-class primary and preventative healthcare in their own community.

Your Honor, I believe that one of the most difficult moments in the life of a judge is dealing with sentencing – because the judge actually has in his hands the future of another human being. The ability to be innovative in a sentencing decision can make a great difference not only for the person being sentenced, but also his/her family, friends and community for which the defendant can still provide honorable public service. Everyone being sentenced for a non-violent crime should have the ability to demonstrate that their life continues to have purpose. Your innovative ability to balance penalty with future promise would demonstrate that it is possible for Bob Menendez to achieve redemption through public service you would approve as worthy.

Throughout Bob's lifetime in public service, I have been able to personally witness his countless acts of kindness in serving his constituents. Over the course of his public service, he has worked tirelessly to improve the lives of thousands of NJ citizens and help build thriving communities by supporting vital federal and State investments in high quality public education and job training programs, affordable community health care, modern transportation and telecommunications infrastructure, affordable housing, community redevelopment, minority small business development and state of the art public safety.

Your Honor, I hope you will find in your heart to give Bob a road back to a life worth living through public service.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Daniel H. Krivit", with a stylized flourish at the end.

Daniel H. Krivit